

HOUSE BILL 749

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R5

2001 Regular Session
11r1350
CF 11r2155

By: **Delegates Bronrott, Barve, Barkley, Bobo, Carlson, Conroy, Cryor,
Dobson, Dypski, Franchot, Goldwater, Heller, Howard, Hubers, Hurson,
Kagan, Kopp, Leopold, Love, Malone, Mandel, Morhaim, Pitkin,
Rawlings, Rosso, and Shank**

Introduced and read first time: February 8, 2001
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - Leaving the Scene of an Accident Involving Bodily Injury or**
3 **Death - Penalties**

4 FOR the purpose of making it a felony for a person involved in a vehicular accident
5 resulting in bodily injury to or death of another to leave the scene of the accident
6 under certain circumstances; providing for certain penalties for a felony under
7 this Act; and generally relating to the penalties for leaving the scene of an
8 accident involving bodily injury or death.

9 BY repealing and reenacting, without amendments,
10 Article - Transportation
11 Section 20-102
12 Annotated Code of Maryland
13 (1999 Replacement Volume and 2000 Supplement)

14 BY repealing
15 Article - Transportation
16 Section 27-101(o)
17 Annotated Code of Maryland
18 (1999 Replacement Volume and 2000 Supplement)

19 BY repealing and reenacting, with amendments,
20 Article - Transportation
21 Section 27-101(p), (q), (r), (s), (t), and (u)
22 Annotated Code of Maryland
23 (1999 Replacement Volume and 2000 Supplement)

24 BY adding to
25 Article - Transportation
26 Section 27-113

1 Annotated Code of Maryland
2 (1999 Replacement Volume and 2000 Supplement)

3 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
4 MARYLAND, That the Laws of Maryland read as follows:

5 **Article - Transportation**

6 20-102.

7 (a) The driver of each vehicle involved in an accident that results in bodily
8 injury to or death of another person immediately shall stop the vehicle as close as
9 possible to the scene of the accident, without obstructing traffic more than necessary.

10 (b) The driver of each vehicle involved in an accident that results in bodily
11 injury to or death of another person immediately shall return to and remain at the
12 scene of the accident until the driver has complied with § 20-104 of this title.

13 27-101.

14 [(o) (1) Any person who is convicted of a violation of § 20-102 of this article
15 ("Driver to remain at scene -- Accidents resulting in bodily injury or death") is subject
16 to, if the accident resulted in bodily injury to another person, a fine of not more than
17 \$3,000 or imprisonment for not more than 1 year or both.

18 (2) Any person who is convicted of a violation of § 20-102 of this article
19 ("Driver to remain at scene -- Accidents resulting in bodily injury or death") is subject
20 to, if the accident resulted in the death of another person, a fine of not more than
21 \$5,000 or imprisonment for not more than 5 years or both.]

22 [(p) (O) (1) Except as provided in paragraphs (2) and (3) of this subsection,
23 any person who is convicted of a violation of any of the provisions of § 21-904 of this
24 article ("Fleeing or eluding police") is subject to:

25 (i) For a first offense, a fine of not more than \$1,000, or
26 imprisonment for not more than 1 year, or both; and

27 (ii) For any subsequent offense, a fine of not more than \$1,000, or
28 imprisonment for not more than 2 years, or both.

29 (2) Any person who is convicted of a violation of § 21-904(b) or (e) of this
30 article that results in bodily injury to another person is subject to a fine of not more
31 than \$5,000, or imprisonment for not more than 3 years, or both.

32 (3) Any person who is convicted of a violation of § 21-904(b) or (e) of this
33 article that results in a death of another person is subject to a fine of not more than
34 \$5,000, or imprisonment for not more than 10 years, or both.

35 [(q) (P) (1) Any person who is convicted of a violation of § 21-902(a) of this
36 article and who, at the time of the offense, was transporting a minor is subject to:

1 (i) For a first offense, a fine of not more than \$2,000 or
2 imprisonment for not more than 2 years or both;

3 (ii) For a second offense, a fine of not more than \$3,000 or
4 imprisonment for not more than 3 years or both; and

5 (iii) For a third or subsequent offense, a fine of not more than \$4,000
6 or imprisonment for not more than 4 years or both.

7 (2) Any person who is convicted of a violation of § 21-902(b), § 21-902(c),
8 or § 21-902(d) of this article and who, at the time of the offense, was transporting a
9 minor is subject to:

10 (i) For a first offense, a fine of not more than \$1,000 or
11 imprisonment for not more than 6 months or both; and

12 (ii) For a second or subsequent offense, a fine of not more than
13 \$2,000 or imprisonment for not more than 1 year or both.

14 (3) For the purpose of determining second or subsequent offender
15 penalties provided under this subsection, a prior conviction of any provision of §
16 21-902 of this article that subjected a person to the penalties under this subsection
17 shall be considered a prior conviction.

18 [(r)] (Q) Any person who is convicted of a violation of § 21-803.1(e) of this
19 article (Fines doubled for speeding within school zones) is subject to a fine of not more
20 than \$1,000.

21 [(s)] (R) Any person who is convicted of a violation of any of the provisions of
22 § 16-808 of this article ("Persons ineligible to drive commercial motor vehicles") is
23 subject to:

24 (1) For a first offense, a fine of not more than \$1,000 or imprisonment for
25 not more than 6 months or both;

26 (2) For a second offense, a fine of not more than \$2,000 or imprisonment
27 for not more than 1 year or both; and

28 (3) For a third or subsequent offense, a fine of not more than \$3,000 or
29 imprisonment for not more than 2 years or both.

30 [(t)] (S) Except as provided in subsection (f) of this section, any person who is
31 convicted of a violation of any provisions of § 16-807(a) of this article ("Commercial
32 driver's license requirements") or § 16-815(e) of this article ("Additional
33 endorsements") is subject to:

34 (1) For a first offense, a fine of not more than \$500 or imprisonment for
35 not more than 2 months or both;

1 (2) For a second offense, a fine of not more than \$1,000 or imprisonment
2 for not more than 6 months or both; and

3 (3) For a third or subsequent offense, a fine of not more than \$2,000 or
4 imprisonment for not more than 1 year or both.

5 [(u)] (T) Any person who is convicted of a violation of § 24-112 of this article is
6 subject to:

7 (1) For the first offense, a fine of not more than \$1,000;

8 (2) For a second offense, a fine of not more than \$2,000; and

9 (3) For a third or subsequent offense, a fine of not more than \$3,000.

10 27-113.

11 (A) A PERSON WHO VIOLATES § 20-102 OF THIS ARTICLE ("DRIVER TO REMAIN
12 AT SCENE -- ACCIDENTS RESULTING IN BODILY INJURY OR DEATH") INVOLVING AN
13 ACCIDENT THAT RESULTED IN BODILY INJURY TO ANOTHER PERSON, IS GUILTY OF A
14 FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT FOR NOT MORE THAN
15 2 YEARS OR A FINE OF NOT MORE THAN \$6,000 OR BOTH.

16 (B) A PERSON WHO VIOLATES § 20-102 OF THIS ARTICLE ("DRIVER TO REMAIN
17 AT SCENE -- ACCIDENTS RESULTING IN BODILY INJURY OR DEATH") INVOLVING AN
18 ACCIDENT THAT RESULTED IN THE DEATH OF ANOTHER PERSON, IS GUILTY OF A
19 FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT FOR NOT MORE THAN
20 10 YEARS OR A FINE OF NOT MORE THAN \$10,000 OR BOTH.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2001.